STATE OF MICHIGAN

COURT OF APPEALS

In the Matter of ARTHUR HENRY HUGE V and BRITTANI DIANE SAVANNAH HUGE, Minors.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

ARTHUR HENRY HUGE IV,

Respondent-Appellant,

and

PAULA LYNN SCHREINER,

Respondent.

UNPUBLISHED
October 5, 2004

No. 252146
Macomb Circuit Court
Family Division
LC No. 95-041896-NA

Before: Cavanagh, P.J., and Smolenski and Owens, JJ.

PER CURIUM.

Respondent-appellant Arthur Henry Huge IV (hereinafter "respondent") appeals as of right from an order terminating his parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g) and (j). We affirm.

The trial court did not clearly err in finding that §§ 19b(3)(g) and (j) were both established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). The evidence showed that respondent left the children with their mother on several occasions even though he knew she was not a proper custodian, and even though a court order prohibited the children from having unsupervised visits with their mother. More significantly, respondent left the children with their mother over a long weekend during which he moved to Florida, without informing her of his plans to move, or informing petitioner of his plans to relocate. Because of respondent's actions, the children were removed from the state by their mother for approximately a month and respondent did not know where they were living. Respondent's conduct demonstrated that he failed to provide proper care and custody for the children and that the children would likely be harmed if returned to his custody. Further, in light of petitioner's past efforts to work with respondent, there was no reasonable likelihood that

respondent would be able to provide proper care and custody within a reasonable time considering the children's ages.

Although the trial court also identified § 19b(3)(c)(i) as a statutory basis for termination, it did not specifically address subsection (c)(i) in its findings. Moreover, we do not believe that subsection (c)(i) is applicable as applied to respondent. The children's mother had sole custody of the children at the time the court assumed jurisdiction, and the conditions that led to adjudication were principally related to the improper care provided by the mother. Although termination of respondent's parental rights was not warranted under § 19b(3)(c)(i), because we have concluded that termination was proper under §§ 19b(3)(g) and (j), and because termination of parental rights need only be supported by a single statutory ground, *In re McIntyre*, 192 Mich App 47, 50; 480 NW2d 293 (1991), the court's error in relying on § 19b(3)(c)(i) does not require reversal.

Finally, a review of the entire record fails to disclose that termination of respondent's parental rights was clearly not in the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). Significantly, the children's grandfather testified that both children were doing much better since their removal because they were now receiving the structure and stability that respondent failed to provide. In contrast, the children had multiple problems while living with respondent and it was clear that he could not provide the stability and structure they required.

Affirmed.

/s/ Mark J. Cavanagh
/s/ Michael R. Smolenski
/s/ Donald S. Owens